

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTE ORDER

Adversary Title : Ferlmann v. DeLiddo **Case No :** 09-90452 - E - 7
Adv No : 11-09017 - E
Date : 12/7/11
Time : 10:30

Matter : [24] - Motion/Application For Summary Judgment [CWC-1] Filed by Plaintiff
Stephen C. Ferlmann (msam)

Judge : Ronald H. Sargis
Courtroom Deputy : Carlene Walker
Reporter : Laura Fowler
Department : E

APPEARANCES for :
Movant(s) : Plaintiff's Attorney - Carl W. Collins
Respondent(s) : Defendant's Attorney - Anthony Johnston

CIVIL MINUTE ORDER

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

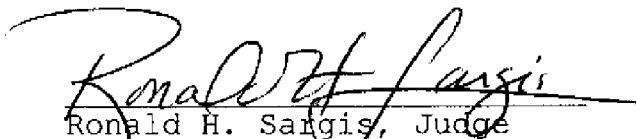
The Motion for Summary Judgment filed in this case by the Trustee, Stephen C. Ferlmann, and upon consideration of the evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the motion is granted and the court will enter judgment in favor of the Plaintiff in the amount of \$108,831.27 for avoidable preferences for the payments made and \$1,628,964.50 for the promissory notes transferred on the alternative grounds that such transfers are avoidable post-petition transfers and that such transfers are avoidable fraudulent conveyances under both the Bankruptcy Code and California law.

Counsel for the Plaintiff shall prepare and lodge with the court a judgment consistent with this order. The judgement shall include the following provision: Plaintiff shall file and serve a costs bill and application for pre-judgment interest and attorneys fees, if any, on or before December 30, 2011. The application shall state the legal and factual basis for pre-judgment interest and attorneys fees, and method for computation of pre-judgment interest.

Dated: December 15, 2011

By the Court


Ronald H. Sargis, Judge
United States Bankruptcy Court

This document does not constitute a certificate of service. The parties listed below will be served a separate copy of the attached Civil Minute Order.

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Stephen Ferlmann
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